

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

TYRONE BARNES,

Plaintiff,

V.

YOLETTE ROSS et al.,

Defendants.

Civil Action No. 09-2489 (SRC)

## OPINION & ORDER

**CHESLER, U.S.D.J.**

This matter comes before the Court on Plaintiff's appeal of a non-dispositive Letter Opinion & Order issued on November 30, 2010 by United States Magistrate Judge Michael A. Shipp, addressing a number of Plaintiff's motions regarding discovery, the imposition of sanctions, the supplementing of pleadings, and an application for a preliminary injunction. For the reasons stated below, the Magistrate Judge's Order will be affirmed.

A Magistrate Judge’s disposition of a non-dispositive motion is subject to review under a clearly erroneous or contrary to law standard. 28 U.S.C. § 636(b)(1)(A); L. Civ. R. 72.1(c)(1)(A). Accordingly, Magistrate Judge Shipp’s ruling on this non-dispositive motion is reversible only if it is “clearly erroneous or contrary to law.” *Id.*

Plaintiff appeals on these grounds: 1) Magistrate Judge Shipp erred in denying Plaintiff's motion for preservation of videotape evidence for lack of relevance; 2) Magistrate Judge Shipp erred in denying Plaintiff's motion to conduct an evidentiary hearing with Paul O'Connell; and 3) Magistrate Judge Shipp erred in denying Plaintiff's motions to compel discovery, add

supplemental pleadings, for a preliminary injunction, and to amend his Complaint.

This Court has carefully reviewed Magistrate Judge Shipp's Letter Opinion & Order of November 30, 2010. Not only is the Order not contrary to law or clearly erroneous, it accurately and correctly decides all issues presented.

In sum, Plaintiff has failed to show that Magistrate Judge Shipp erred in any of his decisions in the Letter Opinion & Order of November 30, 2010. This Court is satisfied that Magistrate Judge Shipp's Opinion & Order is neither clearly erroneous nor contrary to law. The Letter Opinion & Order of November 30, 2010 will be affirmed and adopted as the Order of this Court.

For these reasons,

**IT IS** on this 14th day of February, 2011,

**ORDERED** that Plaintiff's appeal [Docket Entry No. 49] of Magistrate Judge Shipp's Letter Opinion & Order of November 30, 2010 is **DENIED**; and it is further

**ORDERED** that Magistrate Judge Shipp's Letter Opinion & Order of November 30, 2010 is hereby **AFFIRMED**.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.